

CML PROPERTIES, LLC,)
)
Plaintiff,)
)
v.) No. 4:12CV591 MLM
)
ALBERT THOMAS,)
)
Defendant.)

Defendant seeks leave to proceed in forma pauperis on appeal. The Court believes the appeal is frivolous, and therefore, the Court will certify that the appeal is not taken in good faith and deny the request.

IT IS HEREBY CERTIFIED that an appeal from this dismissal would not be taken in good faith.

IT IS HEREBY ORDERED that defendant's motion for leave to proceed on appeal [Doc. 8] is **DENIED**.

IT IS FURTHER ORDERED that defendant shall, within thirty (30) days of the date of this Order, either pay the \$455 appellate filing fee or file a motion in the United States Court of Appeals for the Eighth Circuit for leave to proceed in forma pauperis.

IT IS FURTHER ORDERED that defendant shall file any future documents or pleadings in connection with his appeal directly with the United States Court of Appeals for the Eighth Circuit.

Dated this 30th day of April, 2012.

A handwritten signature in black ink, reading "Henry Edward Autrey", written over a horizontal line.

HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE